

SB 188 and 189  
Why Michigan Should Reduce its Reliance on Sex Offender Registries  
and not Implement the Adam Walsh Act

- The implementation of this act will be **expensive, especially for local units of government**. The ongoing administration and enforcement will be at the local level. This is an unfunded mandate for local police departments. Besides the recording of all the mandated, in-person visits, there will be the time and cost of arresting, holding, prosecuting, and punishing people for the **felony** of failing to make all the required visits.
- This expensive and time-consuming law will **not have much benefit, will divert money from victims and prevention education and give a false sense of security**.
  - The recidivism rate for sex offenders repeating a sex crime is very low. A Michigan non-profit, Citizens Alliance on Prisons and Public Spending, found a 3.1% re-offense rate within 4 years post release from prison (Citizens Alliance on Prisons and Public Spending, 2009).
  - Most sex crimes against children are by family members or acquaintances. Only 7% are by a stranger (National Center on Institutions and Alternatives, Inc. "Sex Offenses: Facts, Fictions and Policy Implications" January, 2006)
  - It is estimated that between 75 and 80 percent of the perpetrators of violent sex crimes against children are committed by relatives and friends of the victim. Researchers hypothesized SORN can give a false sense of security for the public, when the real threat may be from a family member or friend (Avrahamian, 1998 and Freeman-Longo 2000).
- A way to reduce the cost of the registry and make it more useful, would be to have it **only include people who are truly dangerous**. This would be a much smaller list, since the dangerous people would probably be in prison. My son is someone who will be on it for life for having sex with two teenaged boys when he was in his 20's. He is a very kind person. I don't believe he hurt anyone or poses a danger to anyone. **I don't believe that consensual sex where both people are past puberty should require long-term registration.**
- My last comment regard the requirement that updates be made **in person within three business days of the change in certain information. This is not enough time**. It's not enough time for anyone, but this population in particular has fewer resources. Many registrants are poor, often because they are part of his stigmatized group. They may not have a car. They may not even live on a bus line, because of sex offender residency restrictions. Updates should be able to be reported via a phone call or online, and the time period should be changed to within 10 business days, or the next quarterly registration period. This system should be designed so that the average responsible person can be successful, not designed to create more felonies.

Citations

Avrahamian, Koresh A., "A Critical Perspective: Do "Megan's Laws" Really Shield Children From Sex-Predators?", Journal of Juvenile Law, Volume 19, page 301.

Citizens Alliance on Prisons and Public Spending, "Denying parole at first eligibility: How much public safety does it actually buy?", August, 2009, p. 21

Freeman-Longo, Robert E., Revisiting Megan's Law and Sex Offender Registration: Prevention or Problem, American Probation and Parole Association, 2000.

National Center on Institutions and Alternatives, Inc. "Sex Offenses: Facts, Fictions and Policy Implications" January, 2006